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JOHN CHIANG in their official capacity as members of the  
California State Board of Equalization

[additional counsel on the following page]

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GILBERT P. HYATT,

Plaintiff,

v.

JOHN CHIANG, JEROME E.  
HORTON, and MICHAEL COHEN,  
CALIFORNIA FRANCHISE TAX  
BOARD MEMBERS; BETTY T. YEE,  
GEORGE RUNNER, MICHELLE  
STEEL, JEROME E. HORTON, and  
JOHN CHIANG, CALIFORNIA  
STATE BOARD OF EQUALIZATION  
MEMBERS,

Defendants.

Case No. 2:14-cv-00849 GEB-DAD

STIPULATION AND [PROPOSED]  
ORDER REGARDING BRIEFING  
AND HEARING SCHEDULE FOR  
DEFENDANTS' MOTIONS TO  
DISMISS AND INITIAL CASE  
MANAGEMENT CONFERENCE

Hon. Garland E. Burrell, Jr.

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13 Attorneys for Defendants JOHN CHIANG, JEROME E. HORTON, and  
14 MICHAEL COHEN in their official capacity as members of the California  
15 Franchise Tax Board  
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**STIPULATION**

Plaintiff Gilbert P. Hyatt (“Plaintiff”) and Defendants John Chiang, Jerome E. Horton, and Michael Cohen, California Franchise Tax Board Members; and Betty T. Yee, George Runner, Michelle Steel, Jerome E. Horton, and John Chiang, California State Board of Equalization Members (jointly, “Defendants”), through their counsel of record, previously stipulated to a briefing schedule and hearing date on Defendants’ respective Rule 12(b) Motions to Dismiss (Dkt. ## 15 and 17) (the “Motions”), as well as to reset the initial case management conference, and the Court approved that stipulation (Dkt. # 14).

The parties hereby stipulate to the following modified briefing schedule and hearing date for Defendants’ respective Motions as well as the initial case management conference in this matter, and ask that the Court to approve their stipulation:

1. Plaintiff shall file briefs in opposition to the two Motions on or before August 25, 2014. Plaintiff may file a consolidated opposition brief of up to 50 pages in length instead of two separate opposition briefs of 25 pages each in response to the two Motions.
2. Defendants shall file reply briefs in support of their motions to dismiss, if any, on or before October 3, 2014, and will file separate replies in regard to their respective Motions.
3. A hearing on the Motions shall be scheduled for November 3, 2014 at 9 a.m.
4. The initial case management conference currently scheduled for October 20, 2014 at 9 a.m. shall be continued until December 8, 2014 at 9 a.m.

IT IS SO STIPULATED.

1  
2 DATED: July 18, 2014

**KERR & WAGSTAFFE LLP**

3 By /s Michael Von Loewenfeldt  
4 MICHAEL VON LOEWENFELDT  
5 Attorneys for Defendants  
6 BETTY T. YEE, GEORGE RUNNER,  
7 MICHELLE STEEL, JEROME E.  
8 HORTON, and JOHN CHIANG in their  
official capacity as members of the  
California State Board of Equalization

9  
10 DATED: July 18, 2014

**MCDONALD CARANO WILSON LLP**

11 By /s James Bradshaw  
12 JAMES BRADSHAW  
13 Attorneys for Defendants  
14 JOHN CHIANG, JEROME E. HORTON,  
15 and MICHAEL COHEN in their official  
16 capacity as members of the California  
Franchise Tax Board

17 DATED: July 18, 2014

**PERKINS COIE LLP**

18 By /s Donald J. Kula  
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20 Attorneys for Plaintiff  
21 GILBERT P. HYATT  
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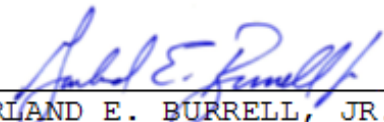
**[PROPOSED] ORDER**

Pursuant to the stipulation filed by Plaintiff Gilbert P. Hyatt ("Plaintiff") and Defendants John Chiang, Jerome E. Horton, and Michael Cohen, California Franchise Tax Board Members; and Betty T. Yee, George Runner, Michelle Steel, Jerome E. Horton, and John Chiang, California State Board of Equalization Members (jointly, "Defendants"), through their counsel of record, and good cause appearing therefore, the Court ORDERS the following:

1. Plaintiff shall file briefs in opposition to the two Motions on or before August 25, 2014. Plaintiff may file a consolidated opposition brief of up to 50 pages in length instead of two separate opposition briefs of 25 pages each in response to the two Motions.
2. Defendants shall file reply briefs in support of their motions to dismiss, if any, on or before October 3, 2014, and will file separate replies in regard to their respective Motions.
3. A hearing on the Motions shall be scheduled for November 3, 2014 at 9 a.m.
4. The initial case management conference currently scheduled for October 20, 2014 at 9 a.m. shall be continued until January 26, 2015, at 9 a.m.

IT IS SO ORDERED.

DATED: JULY 21, 2014

  
GARLAND E. BURRELL, JR.  
Senior United States District Judge